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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/435,377	05/05/95	CLERON	M P1525/112007

EXAMINER	
CALLWELL, F	

ART UNIT	PAPER NUMBER
2316	6 DC

DATE MAILED: 11/29/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-7 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-7 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

SEE ON

ON THE FOLLOWING PAGES --

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Part III DETAILED ACTION

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

2. Applicants mention that this application is related to the following copending US applications :

Replaceable and extensible notebook component of a network component system,

Replaceable and extensible log component of a network component system,

Replaceable and extensible connection dialog component of a network component system,

Embedding Internet browser/buttons within components of a network component system, and

Encapsulated network entity reference of a network component system.

The serial numbers of the above applications are requested.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by admitted prior art (Arnold et al, "Object Oriented Software Technologies Applied to Switching System Architecture and Software Development Processes", Proceedings of XIII International Switching Symposium, Vol. II, pp. 97-106, 1990).

As per independent **claim 1**, admitted prior art (Arnold et al) disclose the invention as claimed :

Arnold et al disclose an extensible and replaceable layered component computing arrangement residing on a computer (software architecture based on plug-compatible software components) [Abstract and Section 2 *System Packaging Issues*, page 98, left column, paragraph 3].

Arnold et al disclose a software component architecture layer interfacing with an operating system and defining a plurality of computing components [Abstract, Section 2 *System Packaging Issues*, page 98, left column, paragraph 3, and Section 3.1 *Software Component Attributes*, page 98].

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Arnold et al disclose a network component layer (intercomponent communications) for developing network navigation components that provide services directed to the computer network [Section 3.2 *Intercomponent Communications Characteristics*, page 99].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

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7. Claims 2-5 and 7 are rejected under 35 U.S.C. § 103 as being unpatentable over admitted prior art (Arnold et al, "Object Oriented Software Technologies Applied to Switching System Architecture and Software Development Processes", Proceedings of XIII International Switching Symposium, Vol. II, pp. 97-106, 1990) in view of Norr, Henry, "Cyberdog could be a breakthrough if it's kept on a lease", MacWeek, Vol. 8, Number 45, p. 50, 14 November 1994 .

As per **claim 2**, admitted prior art (Arnold et al) disclose the invention substantially as claimed and as discussed above in the rejection of claim 1.

However, Arnold et al do not explicitly disclose an computing arrangement wherein the network navigation components are objects and the network component layer comprises application programming interfaces delivered in the form of objects in a class hierarchy.

Norr discloses an environment wherein the network navigation components are objects and the network component layer comprises application programming interfaces in a class hierarchy (suite of OpenDoc components with networking and communications capabilities) [middle of first page of enclosed copy of article].

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It would have been obvious to one of ordinary skill at the time the invention was made to modify the system as taught by Arnold et al by implementing the application programming interfaces as taught by Norr to provide plug and play graphical user interfaces.

As per **claim 3**, Norr does not explicitly teach an application programming interface which includes a CyberItem class. Norr, however, does teach an application programming interface (suite of OpenDoc components) for constructing a network navigation object representing a network resource (network and communications capabilities) [first page of enclosed copy of article].

As per **claim 4**, Arnold et al do not explicitly teach an application programming interface which includes a CyberStream class. However, Arnold et al do teach a network navigation object representing a data stream for transferring information among objects (message information elements) [Section 3.2 *Intercomponent Communications Characteristics*, page 99]. Also, Norr teaches a network navigation object representing a data stream for transferring information among objects (connection capabilities as software components) [first page of enclosed copy of article, last paragraph].

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As per **claim 5**, the system of Arnold et al teaches a means for spawning (linking) [Section 3.1.1 *Components and links*] the CyberStream object (message information element) to obtain information from the network resource that the CyberItem object as taught by Norr (suite of OpenDoc components) represents.

8. As per **claim 7**, admitted prior art (Arnold et al) disclose the invention as claimed:

Arnold et al disclose an extensible and replaceable layered component computing arrangement for providing services directed to information available on computer networks (software architecture based on plug-compatible software components) [Abstract and Section 2 *System Packaging Issues*, page 98, left column, paragraph 3].

Arnold et al disclose a computing arrangement comprising a processor [Section 2 *System Packaging Issues*, page 98, left column, fourth paragraph] and operating system [Section *Software Infrastructure*, page 98, right column, top of page].

Arnold et al disclose a software component architecture layer coupled to an operating system and defining a plurality of computing components [Abstract, Section 2 *System Packaging*

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Issues, page 98, left column, paragraph 3, and Section 3.1 *Software Component Attributes*, page 98].

Arnold et al disclose a network component layer (intercomponent communications) for creating network navigation components [Section 3.2 *Intercomponent Communications Characteristics*, page 99].

However, Arnold et al is silent regarding network navigation components configured to search and obtain information on the computer networks.

Norr discloses network navigation components configured to search and obtain information on the computer networks (suite of OpenDoc components with networking and communications capabilities including Internet browsing tools) [first page of enclosed copy of article].

It would have been obvious to one skilled in the art at the time the invention was made to modify the system of Arnold et al to include the retrieval functions as taught by Norr to allow global access and retrieval of information.

9. **Claim 6** is rejected under 35 U.S.C. § 103 as being unpatentable over admitted prior art (Arnold et al, "Object

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Oriented Software Technologies Applied to Switching System Architecture and Software Development Processes", Proceedings of XIII International Switching Symposium, Vol. II, pp. 97-106, 1990) in view of Norr, Henry, "Cyberdog could be a breakthrough if it's kept on a lease", MacWeek, Vol. 8, Number 45, p. 50, 14 November 1994 as applied to claims 2-5 above, and further in view of Harkey et al, "Object component suites: the whole is greater than the parts", Datamation, 15 February 1995, Vol. 41, Number 3, p.44 .

While Harkey et al do not explicitly teach an application programming interface which include a CyberExtension class, they do, however, teach an application programming interface which can construct an network navigation object representing additional behaviors (customizing behaviors) provided to computer components [Section *Components and Frameworks*, second and third pages of enclosed copy of article and Section *Client/Server Component Suites*, fourth page of enclosed copy of article, second paragraph] .

It would have been obvious to one of ordinary skill at the time the invention was made to modify the system as taught by Arnold et al and modified with the teachings of Norr with extension capabilities to allow user customization of components.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia Caldwell whose telephone number is (703) 305-3805.


KEVIN A. KRIESS
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